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TELECOPY TRANSMITTAL SHEET

DATE: March 15, 2012

TO: Lester Helzer

TELECOPY #: 202-273-4270

FROM: Jonathan Walters, Esquire

PHONE #: 215-875-3121

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**VIA TELEFAX 202-273-4270 AND
 REGULAR MAIL**

Lester Helzer, Executive Secretary
 National Labor Relations Board
 1099 14th Street, N. W.
 Washington, DC 200

75-000-290

**RE: Friends Hospital
 Case No. 04-RC-071635**

Dear Mr. Helzer:

Please be advised that this office is counsel to the Pennsylvania Association of Staff Nurses and Allied Professionals ("PASNAP"), the Union-Petitioner in the above matter.

I am writing to protest your decision, issued within 90 minutes of receiving the Employer's request for an extension of time in which to file its Request for Review which was due on March 21, 2012.

Consistent with its conduct during this entire proceeding, during which it raised a number of meritless, indeed specious, issues, unnecessarily delayed the closing of the hearing, and sought and obtained extensions of absurd length in terms of submission of briefs to the Regional Director ("RD"), the Employer now wishes to delay this proceeding further. It has already submitted a lengthy brief to the RD, had months to research the issue and review the transcript of the hearings and all it needed to do now is review the Decision and Direction of Election (for which it will have had another two weeks) and explain, no doubt unconvincingly, why the RD erred. Given the amount of time it has already spent, the Employer's assertion that it needs more time would logically appear predicated on its desire to delay.

MARKOWITZ & RICHMAN

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There is an election scheduled in this matter for April 4 and 5, 2012. There should be little doubt that the Board will now not be able to decide whether the Request for Review should be granted, something which obviously the Petitioner believes should not occur, by the time the election is completed.

The fact is that the Employer has engaged in a campaign of delay in this matter, pushing back an election to a point more than three (3) months after the representation petition was filed. Its explanation for its need for an extension, from a law firm with a large number of attorneys, at least three of whom have participated in some way in the trial of the case, is really irrelevant to the question of the election being conducted and the ballots tallied.

The Hospital should not have been permitted to continue to engage in such conduct. Thus, its request should be rejected. Moreover, before your office made its decision to permit the Employer to continue its efforts to delay resolution of this matter, the position of the Union, as expressed herein, should have been considered and not merely the *Employer's* statement that the Union would not consent.

If you have any questions, please do not hesitate to contact me.

Respectfully,



JONATHAN WALTERS

JW/lld

Enclosure

cc: Roger Gilson, Esquire
Roger Grimaldi, Esquire
Dorothy Moore-Duncan